



THE HEAVY MOTOR VEHICLE REGULATIONS 1974

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 26th day of August 1974

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 77 and 199 of the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Heavy Motor Vehicle Regulations 1974.

(2) These regulations shall come into force on the 7th day after the date of their notification in the *Gazette*.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“Axle” means one or more shafts, spindles, or bearings in the same vertical transverse plane by means of which, in conjunction with wheels mounted on those shafts, spindles, or bearings, a portion of the weight of the vehicle is transmitted to the roadway; and in particular—

“Oscillating axle” means any axle which complies with the following provisions:

- (a) The axle has 4 wheels attached thereto, consisting of 2 pairs of wheels; and
- (b) Each such pair of wheels is mounted on a separate axle so affixed to the motor vehicle as to share the load equally between the 2 wheels and to permit oscillation of the separate axles in a vertical transverse plane which is at right angles to the longitudinal centre line of the vehicle; and
- (c) The centre of each such wheel is at least 50 cm distant from the centre of every other wheel fitted to the motor vehicle:

“Twin-tyred axle” means—

(a) Any axle, not being an oscillating axle, which has a wheel track of 1.3 m or more and is equipped with 4 or more tyres:

(b) Any other axle declared to be a twin-tyred axle by the Secretary for Transport by notice in the *Gazette*:

“Single-tyred axle” means any axle fitted with 2 or more wheels, but which is neither an oscillating axle nor a twin-tyred axle:

“Board” means the National Roads Board established under the National Roads Act 1953:

“Controlling authority”, in relation to any road, means the authority, body, or person or persons having control of the road:

“Heavy motor vehicle” means a motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward) that, with the load it is for the time being carrying, weighs more than 2,000 kg; but does not include a traction engine or a vehicle designed solely or principally for the use of fire brigades in attendance at fires:

“Longitudinal walking beam” means a device connecting 2 or more axles to the chassis of a vehicle in such a manner that the vertical force applied by the pressure of the road surface on one of those axles results in a vertical force in the opposite direction applied on another of those axles:

“Metal tyre” means any tyre which is neither a pneumatic tyre nor a solid tyre:

“Minister” means the Minister of Transport:

“To operate” means to use or drive, or cause or permit to be used or driven, on any road, or permit to be on any road, whether the person operating is present in person or not:

“Pneumatic tyre” means a tyre which, when in use, is inflated by air or gas introduced from time to time under pressure so as to enclose under normal inflation a cushion of air or gas forming altogether at least half of the total area of an average cross-section of the tyre so inflated:

“Secretary” means the Secretary for Transport:

“Solid tyre” means any tyre constructed of rubber which is not a pneumatic tyre:

“Wheel track” means the distance between the centres of the left-side and right-side wheels of a pair of wheels:

(2) For the purposes of these regulations, a dual-wheel assembly consisting of twin wheels fitted with twin tyres shall be deemed to be one wheel.

(3) For the purposes of these regulations, in the computation of the load of a heavy motor vehicle engaged in the carriage of passengers, each person, including any personal effects carried free of charge, shall be deemed to weigh 68 kg, and in computing the number of persons the driver shall be included:

Provided that in the case of a heavy motor vehicle used for the carriage of school children and their teachers and for no other purpose, each school child shall be deemed to weigh 34 kg, and each teacher and the driver shall be deemed to weigh 68 kg each.

3. Classification of roads—(1) Any roads which were classified in Class I or Class II under the provisions of the Heavy Motor Vehicle Regulations 1969 at the commencement of these regulations shall continue to belong to the said classes until the classification is altered by the Secretary under the following provisions of this regulation.

(2) Any roads which were classified in Class III at the commencement of these regulations shall belong to Class II, and any roads which have not been classified or which have been constructed after these regulations come into force shall belong to Class I, until in any case the classification is altered by the Secretary under the following provisions of this regulation.

(3) The Board may at any time require the Secretary to alter the classification of any State highway. Any other controlling authority having the control of any road may at any time apply to the Secretary to approve a proposal of the controlling authority that the classification of the road be altered.

(4) Notwithstanding anything in the foregoing provisions of this regulation, the Board, after notice to the appropriate controlling authority, may require the Secretary to alter the classification of any road under the control of that authority, and the Secretary shall declare the classification accordingly.

(5) Where under the foregoing provisions of this regulation a controlling authority or the Board applies to or requires the Secretary to alter the classification of a Class I road to Class II, it shall first give public notice of the names or other sufficient identification of the roads proposed to be so classified and of the class to which it is proposed that each such road shall be declared to belong, and shall in that notice call upon any person objecting to lodge notice in writing of his objection and of the ground thereof at an address to be stated in the notice, and before a date to be specified in the notice which shall be at least 14 clear days after the date of the first publication of the notice. The notice shall be given by publishing in some newspaper circulating in the district affected a notice in form A in the First Schedule to these regulations.

(6) Upon the expiration of the period stated in the notice, the controlling authority shall apply to the Secretary for his approval or (in the case of an application by the Board) for his declaration of the alteration in classification, and, except in the case of the Board, the controlling authority shall forward with its application any objections thereto received as aforesaid.

(7) In the case of an alteration in classification proposed by the Board, the Secretary shall, by notice in the *Gazette*, declare the alteration in classification proposed by the Board.

(8) In the case of an alteration in classification proposed by any other controlling authority, the Secretary may, by notice in the *Gazette*, approve the proposed classification, or, with the concurrence of the parties concerned, modify the proposed alteration in classification in accordance with any objections received or otherwise, and then approve the alteration in classification as so modified.

(9) In the event of any difference of opinion as to the correct classification for a road arising between the Secretary and the controlling authority applying under subclause (3) of this regulation to have the road classification altered and any party objecting under subclause (5) of this regulation to the proposed alteration, the question may be submitted by the Secretary or the controlling authority or any such party to the Board. The decision of the Board shall be final, and the Secretary shall, by notice in the *Gazette*, declare the alteration in classification (if any) in accordance with the decision of the Board.

(10) When the classification of a road is altered, the controlling authority shall give public notice, by publication in some newspaper circulating in the district affected, of the classification effected and of the Secretary's approval or declaration thereof, and shall forthwith erect and shall at all times maintain, in the manner prescribed by regulation 4 of these regulations, such one of the signs described in that regulation as may be appropriate to the classification.

(11) Upon publication in the *Gazette* of a notice given under subclause (7) or subclause (8) or subclause (9) of this regulation, the controlling authority shall forthwith take the steps prescribed by subclause (10) of this regulation. On default by the controlling authority, the Secretary may at any time take those steps, or any of them, at the expense in all things of the controlling authority.

(12) No classification of any road shall be deemed to have altered to Class II—

(a) Until it is approved or declared by the Secretary in writing and publicly notified and the road is signposted as provided by subclause (10) of this regulation; or

(b) At any time while the signposting of the road is not maintained as provided by subclause (10) of this regulation.

(13) Any controlling authority may declare that temporarily a Class II road shall become Class I. Where a declaration is made under this subclause,—

(a) A copy of the declaration shall be sent to the Secretary within 7 days; and

(b) Notice of the declaration shall within 7 days be given by publication of the terms of the declaration or a statement conveying the general effect of the declaration in some newspaper circulating in the district to which the declaration relates; and

(c) The controlling authority shall erect such one of the signs described in regulation 4 of these regulations as may be appropriate to the temporary classification and period during which it has effect; and

- (d) Any signs relating to the permanent classification of the road shall be removed or covered.

(14) Any such temporary classification shall, unless reimposed, have effect until the date specified in the declaration. On this date the controlling authority shall remove the temporary signs and replace the permanent classification signs, or, as the case may be, remove any covering placed over the permanent classification signs.

(15) Notwithstanding anything in subclause (14) of this regulation, a controlling authority may, on reasonable grounds, terminate any temporary classification before the date specified in the original declaration. Notice of any such termination shall be given by publication, before the date on which the termination takes effect, of a statement conveying the grounds of and the general effect of the termination in the newspaper which carried notice of the original declaration. On the date on which the termination takes effect, the controlling authority shall remove the temporary signs and replace the permanent classification signs, or, as the case may be, remove any covering placed over the permanent classification signs.

(16) Any licensee within the meaning of Part IV of the Motor Vehicle Taxation Regulations 1966* who claims that his operations are adversely affected by a classification of a road, or any association including such licensees, may apply to the controlling authority not earlier than 12 months after the date when the classification was last altered for the classification to be altered. The controlling authority, if it is satisfied, by such evidence as it thinks fit, that the claim has been substantiated, may take the appropriate steps to alter the classification. If in the case of a road not under the control of the Board the alteration is not effected within 3 months after the date of the application, the licensee or association, as the case may be, may within a further period of 14 days appeal to the Board, which, after making such inquiries as it thinks proper, may exercise its power to require the Secretary to alter the classification under subclause (4) of this regulation or decide not to require the Secretary to alter the classification.

(17) In any proceedings for a breach of these regulations—

- (a) Relating to a road alleged to belong or to be deemed to belong to Class I, evidence by a traffic officer that the road belonged to Class I shall be sufficient evidence that the road at all material times belonged to that class:

(b) Relating to a road alleged to belong to Class II—

(i) The production of a copy of the *Gazette*, or of an official extract therefrom, purporting to contain the Secretary's approval or declaration of the classification of any road; and

(ii) Proof that at all material times the appropriate classification signs were erected and maintained on the road in accordance with regulation 4 of these regulations— shall be sufficient evidence that the road was at all material times duly classified in the class specified in the Secretary's approval or declaration.

*S.R. 1966/80 (Reprinted with Amendments Nos. 1 to 7: S.R. 1974/205)

4. Road classification signs—(1) The signs (hereinafter referred to as classification signs) to be erected under subclause (10) of regulation 3 of these regulations shall be in the form of diagram No. 1 in the Fourth Schedule to these regulations. The sign shall bear such one of the terms “Class I” or “Class II”, as may be appropriate to the classification of the road or portion of road designated by the sign:

Provided that any road classification sign erected at the commencement of these regulations under the provisions of the Heavy Motor Vehicle Regulations 1955 or the Heavy Motor Vehicle Regulations 1969 shall continue in effect notwithstanding that it does not comply with this subclause.

(2) The signs (hereinafter referred to as temporary classification signs) to be erected under subclause (13) of regulation 3 of these regulations shall be in the form of diagram No. 2 in the Fourth Schedule to these regulations. The circle shall bear the term “Class I”. Below the circle in that sign there shall be letters and numerals indicating the date of termination of the temporary classification.

(3) Every controlling authority shall erect and maintain appropriate classification signs in such manner as to give operators of heavy motor vehicles reasonable indication of all Class II roads under its control.

(4) Notwithstanding anything in subclause (3) of this regulation, it shall not be necessary to erect classification signs in the case of any classified road to which road access for heavy motor vehicles is available only by means of another road of the same classification for which the appropriate classification signs are either duly maintained or have been dispensed with under the authority of this subclause.

(5) Every controlling authority shall erect and maintain Class I classification signs in such manner as to give to operators of heavy motor vehicles who have travelled from a road of Class II on to a road which has been notified by the Secretary by notice in the *Gazette* to be in Class I reasonable notice of the Class I classification.

(6) Every controlling authority shall erect and maintain appropriate temporary classification signs in such manner as to give operators of heavy motor vehicles reasonable indication of all roads on which a temporary classification has been declared under subclause (13) of regulation 3 of these regulations.

(7) Where possible, every controlling authority erecting a classification or temporary classification sign shall erect the sign at such a site, at such a height above the level of the road, and generally in such a position and manner that it shall—

- (a) Not be a source of danger to pedestrian or other traffic; and
- (b) Be clearly and readily visible for at least 60 m before reaching it to the driver of a motor vehicle approaching it; and
- (c) Where practicable, be illuminated during hours of darkness by the headlights of approaching motor vehicles; and
- (d) Where not incompatible with the foregoing requirements of this subclause, be at least 1 m above the level of the road.

5. Use of roads and general weight limitations—(1) No person shall operate any heavy motor vehicle if the weight on any of its axles exceeds the weight prescribed for that type of axle by table No. 1 in the Second Schedule to these regulations.

(2) No person shall operate any heavy motor vehicle if the weight on any of its wheels exceeds—

- (a) In the case of single-tyred and twin-tyred axles, half the weight prescribed for such axles by table No. 1 in the Second Schedule to these regulations plus 500 kg;
- (b) In the case of oscillating axles, one-quarter of the weight prescribed for such axles plus 250 kg;
- (c) In the case of any axle with only one wheel, the weight prescribed for an equivalent wheel by paragraph (a) of this subclause.

(3) No person shall operate any heavy motor vehicle if the weight on 2 axles less than 1.8 metres apart exceeds the weight prescribed for that type of axle by table No. 2 in the Second Schedule to these regulations.

(4) No person shall operate any heavy motor vehicle or any combination including a heavy motor vehicle if the total weight on any 2 or more adjacent axles exceeds the weight prescribed by table No. 3 in the Second Schedule to these regulations.

6. Special weight-limit permits—(1) The Secretary or any person appointed by him for the purpose may, in respect of any heavy motor vehicle first registered before 1 November 1974, issue a permit for that vehicle to operate on specified classes of roads with such weights as may be specified in the permit and subject to such conditions as may be set out in the permit.

(2) Permits issued pursuant to subclause (1) of this regulation shall be of the form shown in the Third Schedule to these regulations.

(3) The operator of any motor vehicle to which such a permit has been issued shall, if the weight of the vehicle, or its axles, or any group of its axles, exceeds the weights prescribed by the permit, be deemed to be exceeding the weights allowed by the road classification by the same amount, and shall be subject to such infringement fees or fines as would apply to such excess weight.

(4) The operator of any motor vehicle to which such a permit has been issued shall, if any condition (other than a condition specifying weight limits) is broken, be deemed to be operating without such a permit.

7. Permits to exceed weight limits—(1) Notwithstanding anything in regulations 5 and 6 of these regulations, a controlling authority may issue a permit in writing for any heavy motor vehicle to be used under the authority of an appropriate heavy traffic licence on any road (being a road under the control of that controlling authority and classified so as not otherwise to be available for the use of that heavy motor vehicle), subject to such conditions as to gross weight, axle weight, speed, weather, number of trips, specified period or periods, or any other condition not involving a monetary payment in excess of the administrative costs incurred in the permit, as the authority may think fit to impose. The permit shall be given in form B in the First Schedule to these regulations or to like effect, and may be signed by any officer of the controlling authority or by any other person authorised by it in that behalf.

(2) Except in the case of an unladen heavy motor vehicle or a heavy motor vehicle carrying an indivisible load, the controlling authority may not issue a permit under subclause (1) of this regulation for a vehicle to exceed the weights permitted on Class I roads without first obtaining approval to do so by resolution of the Board.

(3) When any controlling authority issues a permit under subclause (1) of this regulation for a heavy motor vehicle to carry a divisible load for a continuous period exceeding 3 days, the controlling authority shall, within 7 days after the issue of the permit, publish in a newspaper circulating in the district affected a notice in form C in the First Schedule to these regulations or to like effect, and shall make available to any person applying for it a permit to carry the same commodity on the same road subject to the same conditions.

(4) If, due to adverse climatic conditions, it appears to the controlling authority that the continued use of a heavy motor vehicle under a permit issued under subclause (1) of this regulation may cause extraordinary damage to the road, the controlling authority may, by notice in writing to the operator, revoke the permit issued for that vehicle. That revocation shall take effect at the expiration of 24 hours after the delivery of the notice to the operator's place of business.

(5) Every person operating a heavy motor vehicle under a permit issued as aforesaid shall comply with all the conditions of the permit.

(6) If after the issue of such a permit to the operator of a heavy motor vehicle the controlling authority of the road is satisfied that the operator has not complied with all the conditions of the permit, the authority may by notice in writing to the operator revoke the permit issued for that vehicle. That revocation shall take effect at the expiration of 24 hours after the delivery of the notice to the operator's place of business.

(7) Any controlling authority may, with the consent of any other controlling authority, issue any permit necessary under subclause (1) of this regulation in respect of any road controlled by the latter controlling authority, and the provisions of subclauses (1) to (6) of this regulation shall in all respects apply to any permit so issued:

Provided that in the case of the use of any State highway, any permit under subclause (1) of this regulation may (subject to any conditions imposed as aforesaid) be issued only by the Board or by a person appointed by it for the purpose.

(8) No such permit shall prejudice the rights of the controlling authority to recover by legal process reimbursement for any damage done to roads during the trip or trips authorised by the permit.

8. Maximum inflation of tyres—(1) No person shall operate any heavy motor vehicle if the air or gas pressure in any pneumatic tyre fitted to the vehicle exceeds for the time being 620 kilopascals.

(2) Notwithstanding anything in subclause (1) of this regulation, but subject to any condition in any other permit issued under these regulations relating to the pressure of air or gas in any tyre, a controlling authority may issue a permit in writing for any specified heavy motor vehicle to be used on any road under the control of that controlling authority although the air or gas pressure in any tyre exceeds

the limit specified in subclause (1). The permit may be issued subject to such conditions not involving a monetary payment as the controlling authority thinks fit to impose. That permit may be signed by an officer of the controlling authority or by any other person authorised by it in that behalf.

(3) Every person operating a heavy motor vehicle under a permit issued as aforesaid shall comply with all the conditions of the permit.

(4) Any controlling authority may, with the consent of any other controlling authority, issue any permit necessary under subclause (2) of this regulation in respect of any road controlled by the latter controlling authority, and the provisions of subclauses (2) and (3) of this regulation shall in all respects apply to any permit so issued.

(5) Any permit issued under this regulation may apply to any particular trip or to any number of trips or to a specified period or periods, and may at any time be revoked or amended by any controlling authority so far as it relates to roads under the control of that controlling authority.

9. Speed—(1) No person shall operate at a speed in excess of 80 kilometres per hour any heavy motor vehicle (other than a motorcar) which is designed principally for the carriage of passengers and which has pneumatic tyres on all road wheels and which together with the load it is carrying exceeds 3,000 kg in weight.

(2) No person shall operate at a speed in excess of 70 kilometres per hour any heavy motor vehicle (other than a motorcar or a heavy motor vehicle described in subclause (1) of this regulation) which has pneumatic tyres on all road wheels and which together with the load it is carrying exceeds 3,000 kg in weight.

(3) No person shall operate at a speed in excess of 20 kilometres per hour any heavy motor vehicle which has a solid tyre but no metal tyres.

(4) No person shall operate at a speed in excess of 15 kilometres per hour any heavy motor vehicle which has a metal tyre.

(5) No person shall operate any heavy motor vehicle constructed without springs or other effective cushioning apparatus between its road wheels and its chassis at a speed in excess of the respective speeds hereinbefore set out in this regulation reduced by 50 per cent:

Provided that this clause shall not apply when the unsprung axles are connected to the vehicle chassis by a longitudinal walking beam or beams.

(6) Notwithstanding anything in subclauses (3) to (5) of this regulation, and subject to the approval of the Board, the Secretary may give written approval for any specified vehicle or class of vehicles to exceed the speed limits set out in the said subclauses, subject to such conditions as to speed, weight of load, number of trips, roads to be used, or any other conditions as he may think fit to impose.

(7) In any case in which the maximum speed fixed so as to apply to any heavy motor vehicle by a controlling authority for any locality, road, or part of a road is greater than the appropriate speed fixed by this regulation, the maximum speed of that heavy motor vehicle for that locality, road, or part of a road shall be that fixed by this regulation.

(8) Nothing in this regulation or in any approval given under this regulation shall operate—

- (a) To make lawful in respect of any place for which a lower speed limit is duly fixed any speed in excess of that lower limit; or
- (b) To make it a defence in any proceedings for an offence relating to the use of a heavy motor vehicle, other than an offence against this regulation, that at the time of the alleged offence the heavy motor vehicle was being driven at a speed not exceeding the limits fixed by this regulation or by any approval given under this regulation.

10. Prohibition of certain heavy traffic—(1) No person shall operate upon any road—

- (a) Any traction engine, or any heavy motor vehicle other than an agricultural tractor if it is fitted with any tyre which is not pneumatic; or
 - (b) Any heavy motor vehicle, if it is fitted with any metal tyre or any tyre having lugs, cleats, or similar projections,—
- unless the consent thereto in writing is first obtained from the controlling authority of the road, which consent may be given subject to such conditions as the controlling authority thinks fit to impose. In this subclause the term “tyre” includes a self-laying track.

(2) Every person operating any traction engine or heavy motor vehicle under a consent given under subclause (1) of this regulation shall comply with all the conditions subject to which the consent is given.

(3) The controlling authority may, on reasonable grounds, prohibit absolutely or conditionally the use on any specified road of heavy motor vehicles or of any specified class of heavy motor vehicle during any specified period or series of periods.

(4) The controlling authority may, if it considers on reasonable grounds that it is necessary to protect a road from excessive damage, prohibit, during any specified period of not more than 12 months, the use on that road of heavy motor vehicles which exceed a specified axle weight. If, at the expiry of the specified period, the controlling authority still considers a prohibition necessary to protect the road, it may extend the prohibition for a further specified period of not more than 12 months, and, until it considers such a prohibition is no longer necessary, may continue to extend the prohibition for further specified periods of not more than 12 months each.

(5) Notice of any prohibition imposed under subclauses (3) or (4) of this regulation shall be given by the controlling authority in the manner provided in subclause (6) of this regulation at least 7 days before the commencement of the specified period:

Provided that in special circumstances, such as an emergency arising from rain, frost, flood, or other climatic conditions, it shall be sufficient compliance with this requirement if that notice be given as long before the commencement of the period as the circumstances reasonably permit.

(6) The notice referred to in subclause (5) of this regulation shall be given by publication of a statement conveying the grounds of the prohibition and the general effect of the prohibition in some newspaper circulating in the district to which the matter of the notice

relates, and by the erection and maintenance of an adequate sign posted in some conspicuous place at all entrances to the road or roads affected by the prohibition. A sign of the type specified in diagram No. 3 in the Fourth Schedule to these regulations may be used if appropriate.

(7) No person shall operate any heavy motor vehicle on any road where its use has for the time being been prohibited by a controlling authority under subclause (3) or subclause (4) of this regulation.

(8) Any consent or prohibition given or imposed under subclause (1), or subclause (3), or subclause (4) of this regulation may be expressed to relate to all roads under the control of the controlling authority, or any particular road or portion thereof.

(9) If as a result of advice by the National Roads Board, or of inquiry, the Minister is of the opinion that the power given by subclause (3) or subclause (4) of this regulation has in the case of any road not been exercised in a reasonable manner, he may, by notice in writing given to the controlling authority, revoke, wholly or in part, the prohibition of the use of the road by heavy motor vehicles or any class of heavy motor vehicles, as the case may be, as from the date of the notice or from such later date as may be specified in that behalf in the notice, and may give such public notice of the revocation as he thinks fit.

(10) On the date on which any such revocation takes effect, the controlling authority shall remove the signs giving notice of the prohibition which has been revoked.

(11) Any sign erected under the Heavy Motor Vehicle Regulations 1955 or the Heavy Motor Vehicle Regulations 1969 at the commencement of these regulations shall remain in force as if it had been erected under this regulation.

11. Protection of bridges—(1) No person shall operate on or over any bridge which is under the control of a controlling authority any heavy motor vehicle, or any combination of motor vehicles including a heavy motor vehicle, if the heavy motor vehicle or combination exceeds the weight limits for the time being in force and fixed with respect to that bridge pursuant to this regulation within the immediately preceding 12 months.

(2) No person shall cause any heavy motor vehicle to pass over any such bridge at a speed in excess of the speed limit for the time being in force and fixed with respect to that bridge pursuant to this regulation within the immediately preceding 12 months.

(3) For the purposes of this regulation, a controlling authority may with respect to any bridge under its control fix weight limits or a speed limit or both weight limits and a speed limit for heavy motor vehicles, and combinations of vehicles including a heavy motor vehicle, using that bridge.

(4) Before a controlling authority proceeds to fix any weight limits or speed limit with respect to any bridge under this regulation, it shall obtain from an engineer (who is either registered under the Engineers Registration Act 1924 or is the holder of a certificate of recognition issued by the Engineers Registration Board) a certificate that he has made a detailed inspection of the bridge and that as a result he is of the

opinion that the use of the bridge by vehicles exceeding in weight the weight limits, or travelling at a speed exceeding the speed limit, proposed to be fixed would so overstrain the bridge as to be likely to cause its ultimate failure.

(5) Any controlling authority that has fixed weight or speed limits with respect to any bridge as aforesaid shall cause notification thereof in form D in the First Schedule to these regulations to be published in some newspaper circulating in the district in which the bridge is situated, and shall erect and maintain near each end of the bridge a sign indicating any weight and speed limits so fixed in the form of diagram No. 4 in the Fourth Schedule to these regulations.

(6) The following provisions shall apply with respect to every such sign:

(a) Panel 1 of the sign may show the words "Class II", in which case the weight limits which apply to individual axles on Class II roads shall apply on the bridge. Alternatively panel 1 of the sign may show a weight in kilograms in which case the weight shown shall be the weight limit on any one axle on the bridge. If no special axle weight limits are fixed, the word "Axles" and panel 1 may be omitted from the sign, and its height may be reduced accordingly:

(b) Panel 2 of the sign may show any of the figures "30", "40", "50", "60", "70", or "80" followed by "% of Class I", in which case the maximum sum of any 2 or more adjacent axles shall not exceed the stated percentage of the sum of axle weights allowed on Class I roads by tables No. 2 and No. 3 in the Second Schedule to these regulations. Alternatively panel 2 of the sign may show a weight in kilograms, in which case the weight shown shall be the gross weight limit of any heavy motor vehicle on the bridge. If no special gross weight limits are fixed, the word "Gross" and panel 2 may be omitted from the sign, and its height may be reduced accordingly:

(c) Panel 3 of the sign shall show the maximum speed limit for heavy motor vehicles in kilometres per hour. If no special speed limit is fixed for heavy motor vehicles the word "Speed" may be omitted from the sign and its height may be reduced accordingly.

(7) Any controlling authority that has fixed a speed limit with respect to any bridge as aforesaid shall cause notification thereof in form D in the First Schedule to these regulations to be published in some newspaper circulating in the district in which the bridge is situated. Any such notice may be combined with a notice under subclause (5) of this regulation, as indicated in the said form D.

(8) The weight limits or speed limit fixed with respect to any bridge shall become effective for the purpose of this regulation so soon as the provisions of subclauses (5) and (6), or, as the case may require, subclause (7), of this regulation have been complied with and no sooner.

(9) Within 7 days of the publication or first publication (if more than one) of a notification, the controlling authority shall forward to the Secretary a copy of the newspaper containing the notification, together with advice that an engineer's certificate has been obtained in accordance with subclause (4) of this regulation.

(10) The controlling authority shall remove any weight limits or speed limit which it has fixed with respect to any bridge under this regulation, or under the corresponding provisions of the Heavy Motor Vehicle Regulations 1969, upon being satisfied that the same are no longer necessary by reason of repairs to the bridge having been effected or for any other sufficient reason, and shall cause notification of the removal to be published in some newspaper circulating in the district in which the bridge is situated and shall forthwith remove the signs erected under subclause (5) of this regulation, or, as the case may be, the corresponding provisions of the Heavy Motor Vehicle Regulations 1969.

(11) The controlling authority shall forthwith notify the Secretary of the removal of any weight limits or speed limit as aforesaid, and shall forward to him a copy of the newspaper containing notification thereof.

(12) Any weight limits or speed limit removed under this regulation shall be ineffective as from the time of removal of the signs by the controlling authority, or as from the date of publication or first publication (if more than one) of the notification of that removal.

(13) Any weight limits or speed limit fixed by the controlling authority under the provisions of this regulation shall remain in force, unless sooner revoked or amended, for a period of 12 months and no longer, but any such weight limits or speed limit, and any weight limits or speed limit fixed under the corresponding provisions of the Heavy Motor Vehicle Regulations 1969 and in force at the commencement of these regulations, may be reimposed from time to time under the provisions of this regulation for further periods not exceeding 12 months at any one time.

(14) In any prosecution for a breach of this regulation, it shall be sufficient evidence that the weight limits or speed limit with respect to any bridge had been fixed and were in force in accordance with this regulation, if the prosecution proves that at the time when the offence was committed the signs indicating weight or speed limits, or both, were in position near each end of the bridge, and that those limits had been fixed by the controlling authority not more than 12 months before the date of the alleged offence.

(15) In the case of any weight limit or speed limit in force for any bridge at the commencement of these regulations, the limit shall remain in force until it would have been due to expire under the Heavy Motor Vehicle Regulations 1969, and the signs indicating such limits may continue to be used for this purpose until the limits are altered or revoked under these regulations.

(16) Notwithstanding anything in the foregoing provisions of this regulation, a controlling authority may issue a permit in writing for any specified heavy motor vehicle to be used under the authority of the appropriate heavy-traffic licence on or over any bridge (being a bridge under the control of that controlling authority and in respect of which the authority has fixed such weight limits under this regulation or under the Heavy Motor Vehicle Regulations 1969 that the bridge is not available for the use thereon of that heavy motor vehicle), subject to such conditions as to speed, weight of load, number of trips, or any other condition not involving a monetary payment in excess of the administrative costs of issuing the permit, as the controlling authority may think fit to impose. That permit shall be in form B in the First Schedule to

these regulations with such modifications as may be necessary, or to the like effect, and may be signed by any officer of the controlling authority or by any other person authorised by it in that behalf.

(17) Every person operating a heavy motor vehicle under a permit issued under subclause (16) of this regulation shall comply with all the conditions of the permit.

(18) Any permit issued under subclause (16) of this regulation may apply to any particular trip or to any number of trips or to a specified period or periods, and may at any time be revoked or amended by any controlling authority so far as it relates to bridges under the control of that controlling authority.

(19) No such permit shall prejudice the rights of the controlling authority to recover by legal process reimbursement for any damage done to the bridge during the trip or trips authorised by the permit.

12. Road construction zones—(1) The controlling authority of any road may, by notice in writing, declare the road or any specified part thereof to be a road construction zone.

(2) Every such notice shall—

(a) Be signed by a duly authorised officer of the controlling authority, or by a registered engineer authorised in writing by the controlling authority to sign such notices; and

(b) Be forwarded to the Regional Director of the Road Transport Division of the Ministry of Transport in whose region the road construction zone is situated; and

(c) Shall contain the following information:

(i) A description of the boundaries of the zone; and

(ii) The class or classes of heavy motor vehicles or, as the case may be, the specified heavy motor vehicle or vehicles permitted to operate in the zone in accordance with the provisions of subclause (4) of this regulation; and

(iii) Any limitation as to vehicle size, speed, weight, tyres, and tyre pressure of vehicles so permitted to operate in the zone; and

(iv) The period for which the notice will remain in force; and

(d) May from time to time in like manner be amended. A copy of any amending notice shall be sent to the said Regional Director.

(3) Every road construction zone shall have its boundaries marked by signs in the form of diagram No. 5 in the Fourth Schedule to these regulations.

(4) While any notice under subclause (1) of this regulation continues in force and the signs prescribed by subclause (3) of this regulation are erected, the provisions of regulations 5, 6, and 8, subclause (5) of regulation 9, and regulation 10 of these regulations shall not apply to any heavy motor vehicle to which subparagraph (ii) of paragraph (c) of subclause (2) of this regulation applies which is operated in the road construction zone and complies with any limits as to vehicle size, speed, weight, tyres, and tyre pressure specified in the notice.

(5) If in the opinion of the National Roads Board the existence of any road construction zone is no longer warranted, the Board may, by notice to the controlling authority, require that the zone be abolished, and the zone shall thereupon be deemed to be abolished, and the controlling authority shall forthwith remove all signs erected therein pursuant to subclause (3) of this regulation and give notice of the abolition of the zone to the Regional Director.

13. Devices to alter axle weights—(1) No person shall operate any heavy motor vehicle fitted with a device for altering the distribution of weight between its axles, unless all the controls for the device are located in such a position that they cannot be altered from inside the cab of the vehicle:

Provided that this requirement shall not apply to—

- (a) Any control which can be used to reduce but not to increase the proportion of the weight carried by an unpowered axle; or
- (b) Any spring-loaded control which requires the continuous pressure of the driver's hand or foot to remove the proportion of the weight carried by an unpowered axle and which, when released, ensures that the weight on the unpowered axle reverts to the weight it was carrying before the operation of the control. Unless the spring-loaded control lifts the unpowered axle clear of the road surface, an indicator approved by the Secretary shall be fitted to the exterior of the cab on the right-hand side of the vehicle to show when the weight carried by the unpowered axle has been removed.

(2) No person shall use any device to alter the axle weights of a vehicle after the driver of the vehicle has been signalled by a traffic officer to stop.

14. Marking of tare weight—(1) The owner of any heavy motor vehicle shall cause the unladen weight of the vehicle to be shown on the right-hand side of the vehicle in clear letters and figures not less than 3 cms in height and correct to within 50 kilograms, as follows:

“Unladen or tare weight kg.”

(2) Until the 1st day of January 1975, a marking on the right-hand side of the vehicle in clear letters and figures not less than 3 cms in height showing the unladen weight in pounds correct to within 100 lbs shall be deemed to be a sufficient compliance with subclause (1) of this regulation.

15. Distance between axles—In any prosecution for a breach of these regulations, the distance between any axles of a heavy motor vehicle may be taken to be the distance or the sum of distances shown on the certificate of loading for the vehicle.

16. Signs—(1) Notwithstanding anything in these regulations, the Minister may from time to time, by notice in the *Gazette*, prescribe such additional or alternative forms (including dimensions, shapes, colours, symbols, and wording) as he thinks fit for any sign specified in the Fourth Schedule to these regulations; and any form of sign so prescribed shall have the same effect as the appropriate sign specified in that Schedule.

(2) No controlling authority shall erect or maintain, or cause or permit to be erected or maintained, any of the signs specified in the Fourth Schedule to these regulations, or any additional or alternative sign prescribed by the Minister, otherwise than in accordance with these regulations:

Provided that the dimensions of any such sign or of any letters or numerals or lines on any sign specified in the said Fourth Schedule shall be deemed to be minimum dimensions, but the dimensions shall be proportionate, as near as may be, to those specified in that Schedule:

Provided also that any sign which conforms substantially with the form of a sign specified in the Fourth Schedule to these regulations shall be deemed to be an authorised sign and to be of full effect, notwithstanding any non-compliance with these regulations.

(3) Every controlling authority that erects any of the signs specified in the Fourth Schedule to these regulations, or any additional or alternative sign prescribed by the Minister, shall, at all times while the sign remains in position, maintain it in good repair, undefaced, and undamaged, and with its colours, numerals, and letters kept in a bright, clear, and legible condition.

(4) No controlling authority shall erect or maintain, or cause or permit to be erected or maintained or to be, on any road or in any place visible from a road any sign in or similar to the forms specified in the Fourth Schedule to these regulations, or to any additional or alternative sign prescribed by the Minister, which is not used solely for denoting the matter and conveying the information authorised to be denoted and conveyed by means of such signs by these regulations.

(5) No person shall, except as an employee of the controlling authority, erect or maintain, or cause or permit to be erected or maintained or to be, on any road or in any place visible from a road any of the signs specified in the Fourth Schedule to these regulations or any additional or alternative sign prescribed by the Minister, unless authorised to do so in writing by the controlling authority having control of the road.

(6) No person shall erect or maintain, or cause or permit to be erected or maintained or to be, on any road or in any place visible from a road any sign, device, or object liable to be mistaken for one of the signs specified in the Fourth Schedule to these regulations or any additional or alternative sign prescribed by the Minister.

(7) If the name of any person or the name of any business carried on by him or the name of any wares dealt with by him is displayed on a sign which is so erected or maintained that its erection or maintenance constitutes a breach of any provision of this regulation, that person commits an offence against these regulations:

Provided that it shall be a defence to any person charged with an offence against this subclause if he proves that the sign was erected and maintained without his knowledge, or that before the date of the offence he gave notice in writing to the occupier of the land on which the sign is erected requiring the occupier forthwith to remove the sign.

(8) No person shall remove, mutilate, obscure, or in any manner damage or interfere with any sign prescribed by these regulations.

17. Powers of traffic officers—(1) A traffic officer may at any time—

- (a) Require the removal of any part of any load on any heavy motor vehicle to the extent necessary for any vehicle to comply with any weight restriction fixed under these regulations:
 - (b) Require the removal from any heavy motor vehicle of any article carried contrary to the provisions of these regulations, the Traffic Regulations 1956*, the Passenger Service Vehicle Construction Regulations 1954†, the Goods Service Vehicle (Constructional) Regulations 1936‡, or any regulations passed in amendment thereof or in substitution therefor.
- (2) The driver of every heavy motor vehicle shall comply with the requirements of any traffic officer under subclause (1) of this regulation.
- (3) No person shall obstruct, hinder, or interfere with any traffic officer in the exercise of his powers under these regulations.

18. Offences and penalties—(1) Every person commits an offence against these regulations who—

- (a) Fails to comply in any respect with any of the provisions of these regulations or does any act in contravention thereof, not being an overloading infringement as defined in section 69B of the Transport Act 1962; or
 - (b) Knowingly supplies any false or misleading information in or concerning any application under these regulations or concerning any obligation under these regulations.
- (2) Every person who commits an offence against these regulations is liable to the penalties specified in subsection (4) of section 30 of the Transport Act 1962.

19. Revocations and consequential amendments—(1) The regulations specified in the Fifth Schedule to these regulations are hereby revoked.

- (2) The Heavy Motor Vehicles Signs Notice 1966§ is hereby revoked.
- (3) The Motor Vehicle Taxation Regulations 1966|| are hereby consequentially amended—
- (a) By omitting from the definition of “licence” in subclause (1) of regulation 17 the words “and includes a heavy-traffic licence issued under the Heavy Motor Vehicle Regulations 1955 and continuing in force at the commencement of these regulations;”:

*S.R. 1956/217 (Reprinted with Amendments Nos. 1 to 16: S.R. 1968/32)

Amendment No. 17: S.R. 1969/54

Amendment No. 18: S.R. 1969/115

Amendment No. 19: S.R. 1970/157

Amendment No. 20: S.R. 1970/272

Amendment No. 21: S.R. 1971/117

Amendment No. 22: S.R. 1972/83

Amendment No. 23: S.R. 1972/252

Amendment No. 24: S.R. 1973/95

Amendment No. 25: S.R. 1973/130 (Revoked by S.R. 1973/316)

Amendment No. 26: S.R. 1973/316

†S.R. 1954/144 (Reprinted with Amendments Nos. 1 to 8: S.R. 1968/94)

Amendment No. 9: S.R. 1970/270

Amendment No. 10: S.R. 1974/21

‡S.R. 1936/80 (Reprinted with Amendment No. 1: S.R. 1961/94)

Amendment No. 2: S.R. 1970/190

Amendment No. 3: S.R. 1970/256

§S.R. 1966/104

||S.R. 1966/80 (Reprinted with Amendments Nos. 1 to 7: S.R. 1974/205)

- (b) By omitting from subclause (1) of regulation 31 (as amended by regulation 2 of the Motor Vehicle Taxation Regulations 1966, Amendment No. 4) the words “under subclause (4) of regulation 4 or subclause (2) of regulation 4A of the Heavy Motor Vehicle Regulations 1955”, and substituting the words “under regulation 6 or regulation 7 of the Heavy Motor Vehicle Regulations 1974”:
- (c) By revoking subclause (2) of regulation 33.

SCHEDULES

FIRST SCHEDULE

Reg. 3 (5)

Form A

ROAD CLASSIFICATION NOTICE

Road Classification in (Borough) (County) (Town District)
 Road Classification of State Highway Number

NOTICE is hereby given that the (Borough) (County) (Town) Council proposes to apply to the Secretary for Transport to approve the alteration in classification of the following roads:

NOTICE is hereby given that the National Roads Board proposes to require the Secretary for Transport to alter the classification of the following roads:

Any person objecting to the proposal(s) is called upon to lodge notice in writing of this objection and of the grounds thereof before [Date] at the office of the Council (Board) the address of which is

New Road(s) to be classified in Class II—

[Give the names or other sufficient identification of the road]

Road(s) at present in Class I to be classified in Class II—

[Give the names or other sufficient identification of the road]

.....
 [Name of authorised officer]

.....
 [Designation of authorised officer]

.....
 [Name of authority]

Date issued

Regs. 7 (1), 11 (16)

Form B

PERMIT GIVEN UNDER HEAVY MOTOR VEHICLE REGULATIONS 1974

Permit No.

PURSUANT to the Heavy Motor Vehicle Regulations 1974,
 is hereby authorised to use [*Vehicle description*]:
 registered No. for trip(s) on/between [*Dates*]:
 to transport [*Description of load*]: from
 to over the following route, subject to the conditions,
 restrictions, and maximum weights in this permit.

ROUTE AND SPECIAL INSTRUCTIONS:

MAXIMUM WEIGHTS ALLOWED—

1. The gross weight of the vehicle with the load shall not exceed
 kilograms

Axle Number	1	2	3	4	5	6	7	8	9
*Axle Type									
Weight (000 kg)									
Spacing									

2. The total weight on any group of axles shall not exceed the
 sum of the weights shown for those axles in the table above.

CONDITIONS—

1. This permit shall be rendered void and of no effect if any of its
 conditions are broken or if the permit is altered or mutilated without
 authority.

2. This permit shall be carried on the vehicle, and shall be
 surrendered for inspection on the demand of any police officer, any
 traffic officer, or any authorised agent of the National Roads Board
 or road controlling authority.

3. [*Any other conditions*]

Authorised Issuing Officer: [*Name*]
 [*Designation*]
 [*Controlling Authority*]
 [*Location*]

Date:

- * S = Single-tyred axle
- T = Twin-tyred axle
- (4) = 4-tyred oscillating axle
- (8) = 8-tyred oscillating axle

Reg. 7 (3)

Form C

NOTICE OF INTENTION TO ISSUE OVERWEIGHT PERMITS UNDER HEAVY MOTOR VEHICLE REGULATIONS 1974

PURSUANT to regulation 7 (3) of the above regulations, operators of heavy motor vehicles are hereby notified that overweight permits will be issued on application for the carriage described below, under the authority of an appropriate heavy traffic licence, namely:

1. Type of vehicle [*“All heavy motor vehicles” or set out type of heavy motor vehicle—e.g., “two-axled heavy motor vehicles”*].
2. Commodity [*Set out description of commodity*].
3. Period [*Set out period permits will cover*].
4. Conditions [*Set out the maximum weight limits, e.g., “Class I weight limits shall not be exceeded”, and any other special conditions*].
5. Roads [*List roads or describe area permits will cover*].

.....
[Name of authorised officer]

.....
[Designation of authorised officer]

.....
[Name of authority]

Date issued

.....
[Address of authority]

Form D

NOTIFICATION OF WEIGHT (AND/OR SPEED) LIMITS ON BRIDGE(S)
Heavy Motor Vehicle Regulations 1974, Regulation 11

NOTICE is hereby given that pursuant to regulation 11 (3) of the Heavy Motor Vehicle Regulations 1974, the [Name of controlling authority] has fixed the following maximum weight (speed) (weight and speed) limits for heavy motor vehicles and combinations including a heavy motor vehicle on the bridge(s) described hereunder:

Name of Road	Name of Bridge	Weight Limits		Maximum Speed Limit (Km/h)
		Maximum Weight on any One Axle	Gross Weight (Maximum sum of axle weights)	

Attention is drawn to the scale of infringement fees rising to \$400 per axle and \$500 for groups of axles for infringement of these limits.

.....
[Name of authorised officer]

.....
[Designation of authorised officer]

.....
[Name of authority]

Date issued:

Regs. 5, 11 (6)

SECOND SCHEDULE

TABLES OF MAXIMUM WEIGHTS FOR HEAVY MOTOR VEHICLES

Table No. 1—Maximum Weights on Individual Axles

Type of Axle	Classification of Road	
	Class I Kilograms	Class II Kilograms
Single tyred	5 400	5 000
Twin tyred	8 200	7 300
Oscillating	9 500	8 200

Table No. 2—Maximum Sum of Axle Weights on 2 Axles Less Than 1.8 Metres Apart

Types of Axle	Classification of Road	
	Class I Kilograms	Class II Kilograms
Two single tyred axles	Sum of weights allowed on individual axles	
Single tyred axle with twin tyred axle	12 000	11 000
Single tyred axle with oscillating axle	13 000	12 000
All other combinations	14 500	12 500

Table No. 3—Maximum Sum of the Weights on 2 or More Adjacent Axles (Including Maximum Gross Weights)

Distance from the Centre of the First Axle to the Centre of the Last Axle	Classification of Road	
	Class I Kilograms	Class II Kilograms
1.8 metres but less than 2.4 metres ..	15 500	13 500
2.4 metres but less than 3.6 metres ..	17 500	15 000
3.6 metres but less than 5.2 metres ..	21 500	19 000
5.2 metres but less than 6.4 metres ..	26 000	23 000
6.4 metres but less than 7.0 metres ..	28 000	27 000
7.0 metres but less than 7.6 metres ..	29 000	29 000
7.6 metres but less than 8.2 metres ..	30 000	30 000
8.2 metres but less than 8.8 metres ..	31 000	31 000
8.8 metres but less than 9.4 metres ..	32 000	32 000
9.4 metres but less than 10.0 metres ..	33 000	33 000
10.0 metres but less than 10.8 metres ..	34 000	34 000
10.8 metres but less than 11.8 metres ..	35 000	35 000
11.8 metres but less than 13.0 metres ..	36 000	36 000
13.0 metres but less than 14.4 metres ..	37 000	37 000
14.4 metres but less than 16.0 metres ..	38 000	38 000
16.0 metres or more	39 000	39 000

Reg. 6 (2)

THIRD SCHEDULE

SPECIAL WEIGHT-LIMIT PERMIT

PURSUANT to regulation 6 (1) of the Heavy Motor Vehicle Regulations 1974, any vehicles specified herein are exempt from the weight limits prescribed in regulation 5 of those regulations, but are subject to the special weight-limits and conditions prescribed in this permit.

Vehicle Registration No.: Truck, Trailer

The weight on the axles of the vehicle shall not exceed—

Axle Number	1	2	3	4	5	6	7	8	
*Axle Type									Class I
Weight (000 kg)									
Totals Allowed (000 kg)									
Weight (000 kg)									Class II
Totals Allowed (000 kg)									

CONDITIONS (such of the following as apply)—

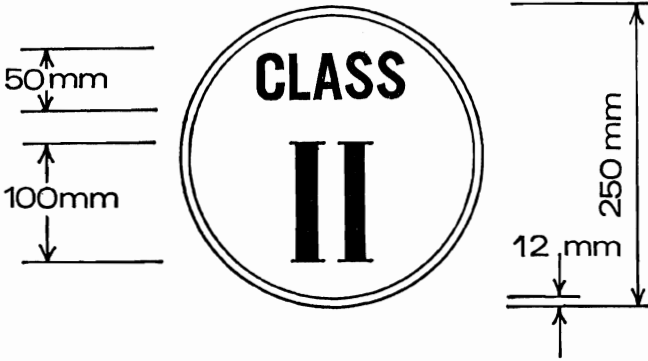
1. The tyre pressures shall not exceed 520 kilopascals except within a city or a borough.
2. The vehicle and load must not be shorter than 13.5 metres.
3. [Any other conditions]

- * S = Single-tyred axle
- T = Twin-tyred axle
- (4) = 4-tyred oscillating axle
- (8) = 8-tyred oscillating axle

FOURTH SCHEDULE

DIAGRAM NO. 1

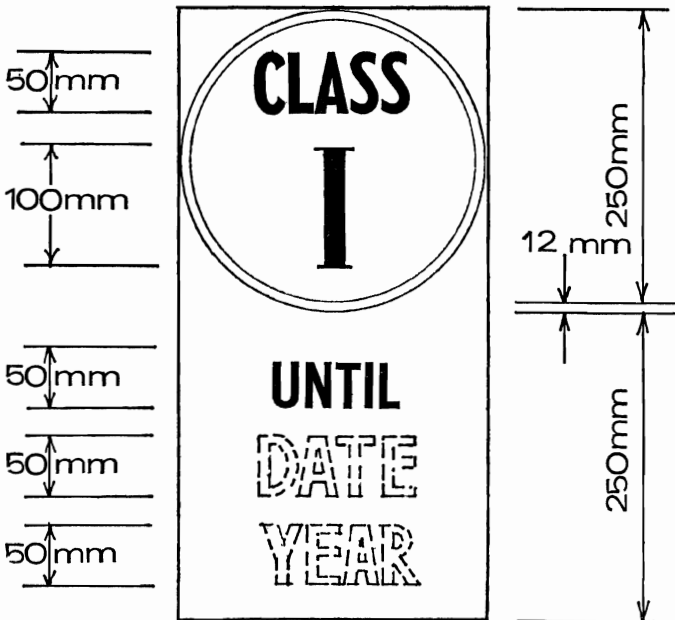
Classification Sign (Reg. 4 (1))



White reflectorised letters and figures on a black ground with a red reflectorised border.

DIAGRAM NO. 2

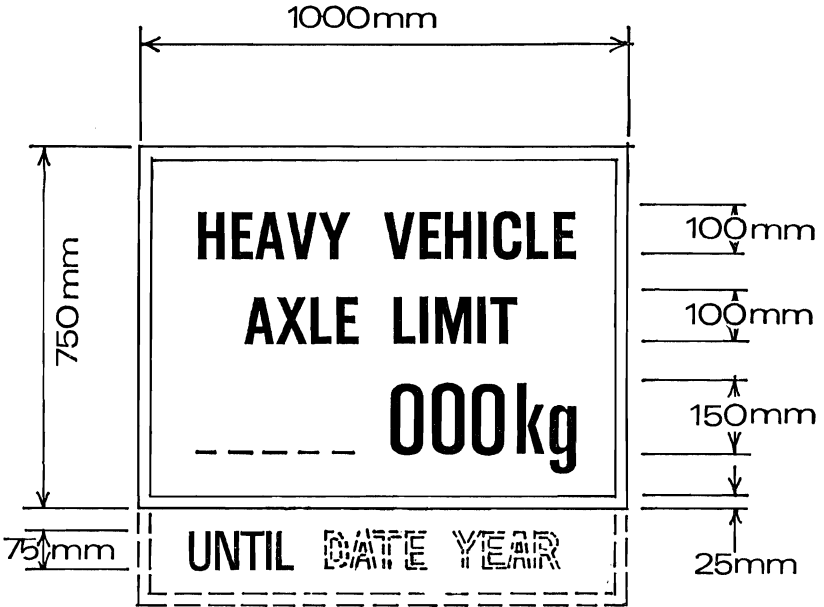
Temporary Classification Sign (Reg. 4 (2))



White reflectorised letters and figures on a black ground with a red reflectorised border.

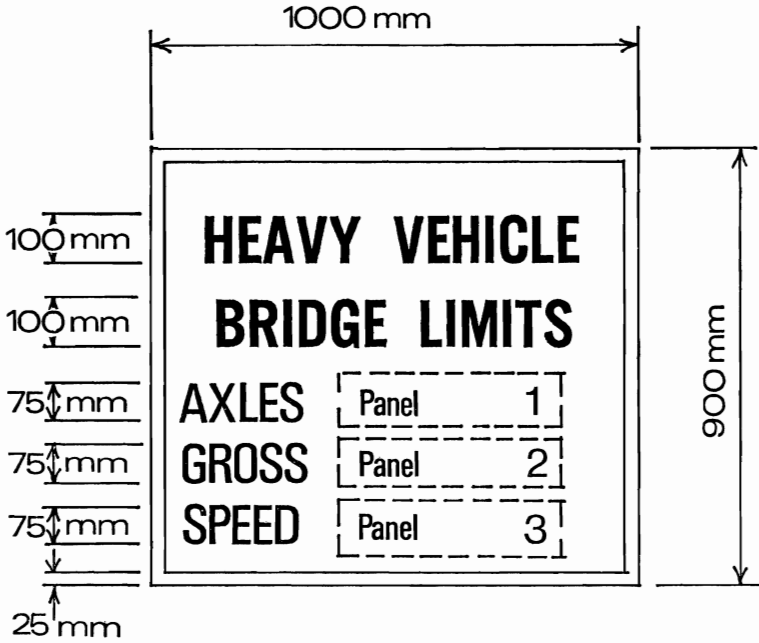
DIAGRAM No. 3

Heavy Vehicle Axle Limit Sign (Reg. 10 (6))



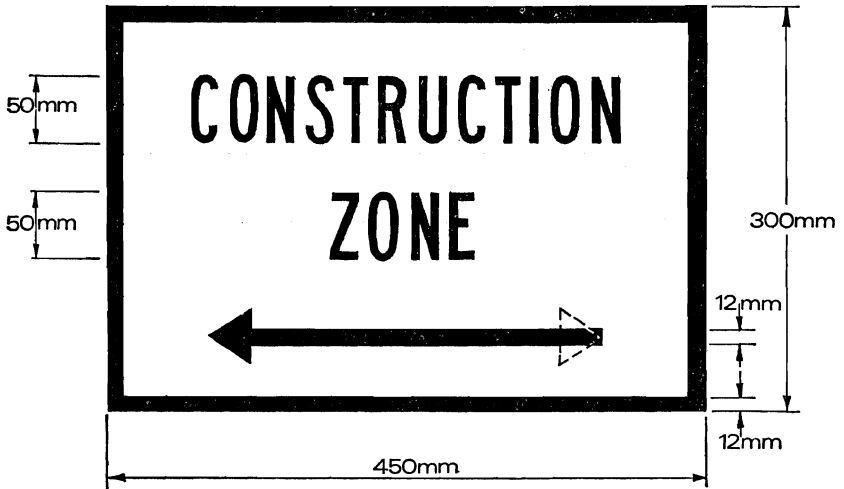
White reflectorised letters and figures on a black ground with a red reflectorised border.

DIAGRAM NO. 4
Heavy Vehicle Bridge Limit Sign (Reg. 11 (5))



White reflectorised letters and figures on a black ground with a red reflectorised border.

DIAGRAM NO. 5
Construction Zone Sign (Reg. 12 (3))



Black on a white ground with black border.

Reg. 19 (1)

FIFTH SCHEDULE
 REGULATIONS REVOKED

Title	Serial Number
The Heavy Motor Vehicle Regulations 1969 ..	1969/231
The Heavy Motor Vehicle Regulations 1969, Amendment No. 1	1970/258
The Heavy Motor Vehicle Regulations 1969, Amendment No. 2	1973/203

P. G. MILLEN,
 Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations consolidate and amend the Heavy Motor Vehicle Regulations 1969 and their amendments.

The main changes are—

- (a) All Imperial weights and measures are expressed in metric terms:
- (b) Longitudinal walking beam axles are accepted as a springing device:
- (c) The Class III classification of roading has been abolished, and provision is made for all Class III roads to be reclassified as Class II:
- (d) Local authorities may, subject to review by the National Roads Board, prohibit vehicles having more than a specified axle loading from using particular roads for periods of up to 6 months:
- (e) The system of special weight-limit labels has been abolished and replaced by a system of special weight-limit permits.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 29 August 1974.

These regulations are administered in the Ministry of Transport